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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
**FOX ET AL.**

Serial No. 09/500,269

Filing Date: **February 8, 2000**

Confirmation No. 2343

For: **SYSTEM AND METHOD FOR  
ASSESSING THE SECURITY  
POSTURE OF A NETWORK USING  
GOAL ORIENTED FUZZY LOGIC  
DECISION RULES**

) Examiner: T. Ho

) Art Unit: 2134

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JAN 30 2004

Technology Center 2100

**DECLARATION UNDER 37 CFR §1.131**

Mail Stop FEE Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, KEVIN L. FOX, RONDA R. HENNING, JOHN T. FARRELL  
and CLIFFORD C. MILLER, do hereby declare and state:

1. We are the co-inventors of claims 1-27 as originally filed in the above-identified patent application.

2. We conceived and reduced to practice the subject matter of the above-identified patent application while working in our laboratories in the United States at Harris Corporation in Palm Bay, Florida prior to November 4, 1999, the effective date of WO 99/56195 to Shostack.

3. We had initially conceived the idea of using fuzzy logic decision rules for accessing the security posture

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of a network. As shown by the white paper shown in Exhibit 1, for a number of years, we had worked with government agencies to develop a network visualization tool to determine the security posture of a network.

4. This method, computer program and data processing system was operative for creating a system object model database that represents a network and supports information data requirements of different network vulnerability analysis programs. The required data from the system object model database representing the network was exported to each respective network vulnerability analysis program. The network was analyzed with each network vulnerability analysis program to produce data results which were stored, together with a common system model database within a data fact base. From that point, goal oriented fuzzy logic decision rules were applied to the data fact base to determine the security posture of the network.

5. Exhibit 1 is a white paper describing a brief overview of the system vulnerability analysis with the network visualization tool of the present invention, and written before November 4, 1999. It clearly shows that the software for the method, computer program and data processing system of the present invention had been reduced to practice as shown in the examples of actual graphical user interfaces depicted in FIGS. 2, 3, 4 and 5.

6. After reducing to practice the invention before November 4, 1999, we worked to improve the invention and the software, including the layout of the graphical user interfaces, and filed a patent application on our invention.

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7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1/19/04  
Date

Kevin L. Fox  
KEVIN L. FOX

1/22/04  
Date

Ronda R. Henning  
RONDA R. HENNING

1/19/04  
Date

John T. Farrell  
JOHN T. FARRELL

1/19/04  
Date

Clifford C. Miller  
CLIFFORD C. MILLER